

10/532703
JC10 Rec'd PCT/PTO 26 APR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: TBD
International Appl'n No. PCT/US2003/034183
International Filing Date: October 28, 2003
Applicant: Karen GIROUX et al.
Filed: April 26, 2005
Docket No.: 05052521
Customer No.: 26565

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| CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" mailing label number EV 548615850 US Date of Deposit: April 26, 2005 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop: Provisional Patent Application, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 typed or printed name of person mailing paper or fee:  Tim Hubalk |
|---|

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith are the following for the above-captioned application:

1. Transmittal Letter to the United States Designated/Elected Office
Concerning a Submission Under 35 USC 371 (PTO-1390 form);
2. Application Data Sheet;
3. PCT Publication No. WO 2004/039355;
4. Preliminary Amendment;
5. Check in the amount of \$1,275.00; and
6. Return receipt postcard.

10/532703

JC13 Rec'd PCT/PTO 26 APR 2005

The Commissioner is hereby authorized to charge any additional filing fees required under Rule 1.17 concerning this transaction, or to credit any overpayment to Deposit Account 13-0019.

Respectfully submitted,



Amanda T. Barry
Reg. No. 51,435

Date: April 26, 2005

MAYER, BROWN, ROWE & MAW LLP
P.O. Box 2828
Chicago, Illinois 60690-2828
Telephone: (312) 701-7283
Facsimile: (312) 706-9000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 05052521 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107532703 |
| INTERNATIONAL APPLICATION NO. PCT/US2003/034183 | INTERNATIONAL FILING DATE October 28, 2003 | PRIORITY DATE CLAIMED October 28, 2002 |
| TITLE OF INVENTION THERAPEUTIC COMPOSITIONS | | |
| APPLICANT(S) FOR DO/EO/US Karen GIROUX and Robert F. BUTZ | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return postcard</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|---|--------------|---|---------|--------------------------------------|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/532703 | | INTERNATIONAL APPLICATION NO. PCT/US2003/032597 | | ATTORNEY'S DOCKET NUMBER 05046509 | |
| The following fees have been submitted | | | | CALCULATIONS PTO USE ONLY | |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ 100.00 | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ 100.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 500.00 | |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | |
| - 100 = | /50 = | | | x \$250 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 51 | - 20 = 31 | x \$ 50 | \$ 1,550.00 | |
| Independent claims | 2 | - 3 = 0 | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | | | | |
| SUBTOTAL = | | | | \$ 1,275.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 1,275.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 1,275.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,275.00</u> to cover the above fees is enclosed. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-0019</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| CUSTOMER NUMBER 26565 MAYER, BROWN, ROWE & MAW LLP P.O. Box 2828 Chicago, IL 60690-2828 Telephone: (312) 701-7283 Facsimile: (312) 706-9000 | | | | | |
|  SIGNATURE Amanda T. Barry NAME 51,435 REGISTRATION NUMBER | | | | | |

PTO-1390 (Rev. 02-2005)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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|---|-----------|-------------------------------|--------------------------|---|-------|--------------|--------------|---|-----------|--|--|
| APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER | | | | | | | | |
| 101532703 | | PCT/US2003/032597 | 05046509 | | | | | | | | |
| <p>The following fees have been submitted</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/> Basic national fee.....</td> <td>\$300</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td><input checked="" type="checkbox"/> Examination fee</td> <td>\$ 300.00</td> <td></td> <td></td> </tr> </table> | | | | <input checked="" type="checkbox"/> Basic national fee..... | \$300 | CALCULATIONS | PTO USE ONLY | <input checked="" type="checkbox"/> Examination fee | \$ 300.00 | | |
| <input checked="" type="checkbox"/> Basic national fee..... | \$300 | CALCULATIONS | PTO USE ONLY | | | | | | | | |
| <input checked="" type="checkbox"/> Examination fee | \$ 300.00 | | | | | | | | | | |

PTO-1390 (Rev. 02-2005)

14000/DOJ 9-65 (Rev. 3-1-78) through 3/1/1987 OMB 0651-0021
14000/DOJ 9-65 (Rev. 3-1-78) through 3/1/1987 OMB 0651-0021

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

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|---|---|---|
| INTERNATIONAL APPLICATION NO. CT/US2003/034183 | INTERNATIONAL FILING DATE October 28, 2003 | PRIORITY DATE CLAIMED October 28, 2002 |
| ITLE OF INVENTION THERAPEUTIC COMPOSITIONS | | |

APPLICANT(S) FOR DO/EO/US Karen GIROUX and Robert F. BUTZ

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.

This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.

hation procedures (35 U.S.C. 371(f)). The submission must include items

